

1 be monumented in the field by iron pipes at least 18 inches long and one inch in  
2 diameter weighing not less than 1.13 pounds per lineal foot, or by round or square  
3 iron bars at least 18 inches long and weighing not less than 1.13 pounds per lineal  
4 foot. These monuments shall be placed at the point of intersection of the lake or  
5 navigable perennial stream lot line with a meander line established not less than 20  
6 feet back from the determined or approximated ordinary high water mark of the lake  
7 ~~or from the bank of the stream.~~

8 **SECTION 60.** 236.15 (2) of the statutes is amended to read:

9 236.15 (2) ACCURACY OF SURVEY. The survey shall be performed by a  
10 professional land surveyor ~~registered in this state~~ and if the error in the latitude and  
11 departure closure of the survey or any part thereof is greater than the ratio of one  
12 in 3,000, the plat may be rejected.

13 **SECTION 61.** 236.16 (3) (title) of the statutes is amended to read:

14 236.16 (3) (title) LAKE AND NAVIGABLE PERENNIAL STREAM SHORE PLATS; PUBLIC  
15 ACCESS.

16 **SECTION 62.** 236.16 (3) (a) of the statutes is amended to read:

17 236.16 (3) (a) All subdivisions abutting on a navigable lake or a navigable  
18 perennial stream shall provide public access at least 60 feet wide providing access  
19 to the ~~low watermark~~ water's edge so that there will be public access, which is  
20 connected to existing public roads, at not more than one-half mile intervals as  
21 measured along the lake or the navigable perennial stream shore except where  
22 greater intervals and wider access is agreed upon by the department of natural  
23 resources and the department, and excluding shore areas where public parks or  
24 open-space streets or roads on either side of ~~a~~ the navigable perennial stream are  
25 provided.

1           **SECTION 63.** 236.16 (3) (b) of the statutes is amended to read:

2           236.16 (3) (b) No public access established under this chapter may be vacated  
3           except by circuit court action as provided in s. 236.43, except that such public access  
4           may be discontinued under s. 66.1003, subject to s. 66.1006.

5           **SECTION 64.** 236.16 (4) of the statutes is amended to read:

6           236.16 (4) LAKE AND NAVIGABLE PERENNIAL STREAM SHORE PLATS; LAND BETWEEN  
7           MEANDER LINE AND WATER'S EDGE. The lands lying between the meander line,  
8           established in accordance with s. 236.20 (2) (g), and the water's edge, and any  
9           otherwise unplattable lands which lie between a proposed subdivision and the  
10          water's edge shall be included as part of lots, outlots or public dedications in any plat  
11          abutting a lake or a navigable perennial stream. This subsection applies not only to  
12          lands proposed to be subdivided but also to all lands under option to the subdivider  
13          or in which the subdivider holds any interest and which are contiguous to the lands  
14          proposed to be subdivided and which abut a lake or a navigable perennial stream.

15          **SECTION 65.** 236.20 (1) (a) of the statutes is amended to read:

16          236.20 (1) (a) The plat shall have ~~a binding margin 1 1/2 inches wide on the~~  
17          ~~left side, and~~ a one-inch margin on all other sides. A graphic scale of not more than  
18          100 feet to one inch shall be shown on each sheet showing layout features. When  
19          more than one sheet is used for any plat, each sheet shall be numbered consecutively  
20          and shall contain a notation giving the total number of sheets in the plat and showing  
21          the relation of that sheet to the other sheets and each sheet shall bear the subdivision  
22          and county name.

23          **SECTION 66.** 236.20 (1) (b) of the statutes is repealed.

24          **SECTION 67.** 236.20 (2) (g) of the statutes is amended to read:

1           236.20 (2) (g) All ~~lake or stream~~ shore meander lines for all lakes or navigable  
2           perennial streams that are established by the professional land surveyor in  
3           accordance with s. 236.15 (1) (d), the distances and bearings thereof, and the distance  
4           between the point of intersection of such meander lines with lot lines and the  
5           determined or approximated ordinary high water mark.

6           ✓  
SECTION 68. 236.20 (2) (k) of the statutes is amended to read:

7           236.20 (2) (k) When a street is on a circular curve, the main chords of the  
8           right-of-way lines shall be drawn as dotted or dashed lines in their proper places.  
9           All curved lines shall show, either on the lines or in an adjoining table, the radius of  
10          the circle, the central angle subtended, the chord bearing, the chord length, and the  
11          arc length for each segment. The tangent bearing shall be shown for each end of the  
12          main chord for all nontangent circular lines. When a circular curve of 30-foot radius  
13          or less is used to round off the intersection between 2 straight lines, it shall be  
14          tangent to both straight lines. It is sufficient to show on the plat the radius of the  
15          curve and the tangent distances from the points of curvature to the point of  
16          intersection of the straight lines.

17          ✓  
SECTION 69. 236.20 (3) (b) of the statutes is amended to read:

18          236.20 (3) (b) The location of the subdivision shall be indicated by bearing and  
19          distance from a boundary line of a government lot monumented in the original  
20          survey or resurvey of Wisconsin, quarter section, recorded private claim, or federal  
21          reservation in which the subdivision is located. The monumentation at the ends of  
22          the boundary line shall be described and the bearing and distance between them  
23          shown.

24          ✓  
SECTION 70. 236.20 (4) (b) of the statutes is amended to read:

1           236.20 (4) (b) All lands dedicated to public use ~~except roads and streets~~ shall  
2   be clearly marked “Dedicated to the Public”.

3           **SECTION 71.** 236.20 (5) (c) of the statutes is amended to read:

4           236.20 (5) (c) The water elevations of adjoining lakes or navigable perennial  
5   streams at the date of the survey and the approximate high ~~and low~~ water elevations  
6   of those lakes or streams. All elevations shall be referred to some permanent  
7   established datum plane.

8           **SECTION 72.** 236.20 (6) of the statutes is created to read:

9           236.20 (6) PUBLIC TRUST INFORMATION. A final plat of a subdivision, or a certified  
10   survey map of land, to which s. 236.16 (4) applies shall show on its face the following  
11   statement:

12           “Any land below the ordinary high water mark of a lake or a navigable  
13   perennial stream is subject to the public trust in navigable waters that is established  
14   under article IX, section 1, of the state constitution. However, the owner of the real  
15   property that abuts such land has exclusive use of that land when it is exposed,  
16   except as otherwise provided by law or by the owner’s title.”

17           **SECTION 73.** 236.21 (1) (intro.) of the statutes is amended to read:

18           236.21 (1) ~~SURVEYOR’S~~ PROFESSIONAL LAND SURVEYOR’S CERTIFICATE OF  
19   COMPLIANCE WITH STATUTE. (intro.) The certificate of the professional land surveyor  
20   who surveyed, divided, and mapped the land giving all of the following information,  
21   which shall have the same force and effect as an affidavit:

22           **SECTION 74.** 236.21 (1) (a) of the statutes is amended to read:

23           236.21 (1) (a) By whose direction the professional land surveyor made the  
24   survey, subdivision, and plat of the land described on the plat.

✓  
1       **SECTION 75.** 236.21 (1) (b) of the statutes is renumbered 236.21 (1) (b) 1. and  
2       amended to read:

3       236.21 (1) (b) 1. ~~A~~ Except as provided in subd. 2., a clear and concise  
4       description of the land surveyed, divided, and mapped by government lot, recorded  
5       private claim, quarter-quarter section, section, township, range, and county and by  
6       metes and bounds commencing with a monument at a section or quarter section  
7       corner of the quarter section that is not the center of the section, or commencing with  
8       a monument at the end of a boundary line of a recorded private claim or federal  
9       reservation in which the subdivision is located.

10       2. If the land is ~~located~~ shown in a recorded subdivision ~~or plat~~, recorded  
11       addition ~~thereto, the land shall be described by the number or other description of~~  
12       ~~the lot, block or subdivision thereof, to a recorded subdivision plat, or recorded~~  
13       certified survey map that has previously been tied to ~~a corner marked and~~  
14       ~~established by the U.S. public land survey~~ the monumented line of a quarter section,  
15       government lot, recorded private claim, or federal reservation in which the land is  
16       located, the land shall be described by the subdivision name or certified survey map  
17       number and the description of the lot and block thereof.

✓  
18       **SECTION 76.** 236.21 (1) (d) of the statutes is amended to read:

19       236.21 (1) (d) A statement that the professional land surveyor has fully  
20       complied with the provisions of this chapter in surveying, dividing, and mapping the  
21       land.

✓  
22       **SECTION 77.** 236.25 (2) (a) of the statutes is amended to read:

23       236.25 (2) (a) It is a permanent nonfading black image on durable white media  
24       that is 22 inches wide by 30 inches long or on any material that is capable of clearly  
25       legible reproduction on other media that is acceptable to the register of deeds,

1 complies with the requirements of s. 59.43 (2m) (b) 4., and bears a department  
2 certification of no objection. Seals or signatures reproduced on images complying  
3 with this paragraph shall be given the force and effect of original signatures and  
4 seals;

5 **SECTION 78.** 236.25 (2) (c) of the statutes is amended to read:

6 236.25 (2) (c) The plat shows on its face all the certificates and affidavits  
7 required by ss. ~~236.21 and 236.12 (4) (3) and 236.21;~~

8 **SECTION 79.** 236.25 (2) (d) of the statutes is amended to read:

9 236.25 (2) (d) The plat shows on its face the approval of all bodies required by  
10 s. 236.10 to approve or the certificate of the clerk that the plat is deemed approved  
11 under s. 236.11 (2) (a).

12 **SECTION 80.** 236.32 (except 236.32 (title)) of the statutes is renumbered 236.32

13 (1m), and 236.32 (1m) (intro.), (a) and (c), as renumbered, are amended to read:

14 236.32 (1m) (intro.) Any of the following may be fined not more than \$250 or  
15 imprisoned not more than one year in county jail for any of the following violations:

16 (a) Any owner, professional land surveyor, or subdivider who fails to place  
17 monuments as prescribed in this chapter when subdividing land.

18 (c) ~~Fails~~ Any person who fails to replace properly any monuments ~~which that~~  
19 have been removed or disturbed when ordered to do so by the governing body of the  
20 municipality or county in which the subdivision is located.

21 **SECTION 81.** 236.32 (2m) of the statutes is created to read:

22 236.32 (2m) Each monument to which a violation under sub. (1m) applies  
23 constitutes a separate violation.

24 **SECTION 82.** 236.34 (1) (a) of the statutes is amended to read:

1           236.34 (1) (a) The survey shall be performed and the map prepared by a  
2   professional land surveyor ~~registered in this state~~. The error in the latitude and  
3   departure closure of the survey may not exceed the ratio of one in 3,000.

4           **SECTION 83.** 236.34 (1) (b) of the statutes is amended to read:

5           236.34 (1) (b) All corners shall be monumented in accordance with s. 236.15 (1)  
6   (ac), (c), (d), and (g).

7           **SECTION 84.** 236.34 (1) (c) of the statutes is amended to read:

8           236.34 (1) (c) The map shall be prepared in accordance with ~~s.~~ ss. 236.16 (4) and  
9   236.20 (2) (a), (b), (c), (e), (f), (g), (h), (i), (j), (k), and (L) and (3) (b), (d), and (e) at a  
10   graphic scale of not more than 500 feet to an inch, which shall be shown on each sheet  
11   showing layout features. The map shall be prepared with a binding margin 1.5  
12   inches wide and a 0.5 inch margin on all other sides on durable white media that is  
13   8 1/2 inches wide by 14 inches long, or on any material capable of clearly legible  
14   reproduction or other media that is acceptable to the register of deeds, with a  
15   permanent nonfading black image. When more than one sheet is used for any map,  
16   each sheet shall be numbered consecutively and shall contain a notation giving the  
17   total number of sheets in the map and showing the relationship of that sheet to the  
18   other sheets. "CERTIFIED SURVEY MAP" shall be printed on the map in prominent  
19   letters with the location of the land by government lot, recorded private claim,  
20   quarter-quarter section, section, township, range and county noted. Seals or  
21   signatures reproduced on images complying with this paragraph shall be given the  
22   force and effect of original signatures and seals.

23           **SECTION 85.** 236.34 (1) (d) (intro.) of the statutes is amended to read:

1           236.34 (1) (d) (intro.) The map shall include a certificate of the professional  
2   land surveyor who surveyed, divided, and mapped the land which has the same force  
3   and effect as an affidavit and which gives all of the following information:

4           **SECTION 86.** 236.34 (1) (d) 1. of the statutes is amended to read:

5           236.34 (1) (d) 1. By whose direction the professional land surveyor made the  
6   survey, division, and map of the land described on the certified survey map.

7           **SECTION 87.** 236.34 (1) (d) 2. of the statutes is amended to read:

8           236.34 (1) (d) 2. A clear and concise description of the land surveyed, divided,  
9   and mapped by government lot, recorded private claim, quarter-quarter section,  
10   section, township, range and county; and by metes and bounds commencing with a  
11   monument at a section or quarter section corner of the quarter section that is not the  
12   center of a section, or commencing with a monument at the end of a boundary line  
13   of a recorded private claim or federal reservation in which the land is located; ~~or if,~~  
14   If, however, the land is located shown in a recorded subdivision ~~or plat,~~ recorded  
15   addition to a recorded subdivision, ~~then by the number or other description of the lot,~~  
16   ~~block or subdivision, which plat, or recorded certified survey map that~~ has previously  
17   been tied to ~~a corner marked and established by the U.S. public land survey the~~  
18   monumented line of a quarter section, government lot, recorded private claim, or  
19   federal reservation in which the land is located, the land shall be described by the  
20   subdivision name or certified survey map number and the description of the lot and  
21   block thereof.

22           **SECTION 88.** 236.34 (1) (d) 4. of the statutes is amended to read:

23           236.34 (1) (d) 4. A statement that the professional land surveyor has fully  
24   complied with the provisions of this section in surveying, dividing, and mapping the  
25   land.



✓  
1 SECTION 89. 236.34 (1) (e) of the statutes is amended to read:

2 236.34 (1) (e) A certified survey map may be used for dedication of streets and  
3 other public areas, and for granting easements to the public or any person, society,  
4 or corporation marked or noted on the map, when owners' certificates and  
5 mortgagees' certificates which are in substantially the same form as required by s.  
6 236.21 (2) (a) have been executed and the city council or village or town board  
7 involved have approved such dedication or grant. Approval and recording of such  
8 certified surveys shall have the force and effect provided by s. 236.29.

✓  
9 SECTION 90. 236.34 (2) (b) 1. of the statutes is amended to read:

10 236.34 (2) (b) 1. The certified survey map is offered for record within 6 12  
11 months after the date of the last approval of the map and within 24 36 months after  
12 the date of the first approval of the map.

✓  
13 SECTION 91. 236.34 (4) of the statutes is created to read:

14 236.34 (4) VACATION. A certified survey map may be vacated by the circuit court  
15 of the county in which the parcels of land are located in the same manner and with  
16 like effect as provided in ss. 236.40 to 236.44, except that application for vacation of  
17 the certified survey map may be made by any of the following:

18 (a) The owner of any lot or outlot in the land that is the subject of the certified  
19 survey map.

20 (b) The county board if the county has acquired an interest by tax deed in any  
21 lot or outlot in the land that is the subject of the certified survey map.

✓  
22 SECTION 92. 440.03 (13) (b) 34. of the statutes is amended to read:

23 440.03 (13) (b) 34. Land surveyor, professional.

✓  
24 SECTION 93. 440.08 (2) (a) 39. of the statutes is amended to read:

Insert 38-21

440.08 (2) (a) 39. Land surveyor, professional: February 1 of each even-numbered year.

**SECTION 94.** Chapter 443 (title) of the statutes is amended to read:

**CHAPTER 443**

**EXAMINING BOARD OF ARCHITECTS,  
LANDSCAPE ARCHITECTS,  
PROFESSIONAL ENGINEERS,  
DESIGNERS, AND PROFESSIONAL  
LAND SURVEYORS**

**SECTION 95.** 443.01 (1m) of the statutes is created to read:

**443.01 (1m)** “Construction surveying” means surveying or mapping that is performed in support of infrastructure design, in support of improvements related to private and public boundary lines, or in support of construction layout or historic preservation, and establishing any postconstruction documentation related to that surveying or mapping.

**SECTION 96.** 443.01 (3) of the statutes is amended to read:

443.01 (3) “Examining board” means the examining board of architects, landscape architects, professional engineers, designers, and professional land surveyors.

**SECTION 97.** 443.01 (3b) of the statutes is created to read:

443.01 **(3b)** “Geodetic surveying” means surveying to determine the size and shape of the earth or the precise positions of points on the surface of the earth.

**SECTION 98.** 443.01 (3r) (c) of the statutes is amended to read:

443.01 (3r) (c) Professional services performed by a registered professional  
land surveyor or by a person who has in effect a permit under s. 443.06 (3).

SECTION 99. 443.01 (4) of the statutes is repealed.

SECTION 100. 443.01 (6s) of the statutes is created to read:

443.01 (6s) "Practice of professional land surveying" means any of the following:

(a) Any service comprising the establishment or reestablishment of the boundaries of one or more tracts of land or the boundaries of any of the following interests in real property:

1. The alignment and rights-of-way of roads or streets.

\*\*\*\*NOTE: I did not include "establishment" of the alignment because the idea that the service comprises the establishment of the particular interest in real property is already contained in par. (a) (intro.), above. Is that okay?

2. Air or subsurface property rights.

3. Public or private easements.

(b) Designing or coordinating designs for the purpose of platting or subdividing land into smaller tracts.

(c) Placing, replacing, restoring, or perpetuating monuments in or on the ground to evidence the location of a point that is necessary to establish boundaries of one or more tracts of land or the subdivision or consolidation of one or more tracts of land or to describe the boundaries of any interest in real property identified in par.

(a).

(d) Preparing maps that depict any interest in real property identified in par. (a) for the purpose of establishing the boundaries of any such interest in real property.

(e) Preparing any of the following:

1. An official map established or amended under s. 62.23 (6), established or amended under the authority of s. 61.35, or adopted under s. 60.61.

- 1           2. An assessor's plat under s. 70.27.
- 2           3. A map or plat of cemetery lands under s. 157.07.
- 3           4. A subdivision plat, certified survey map, or correction instrument under ch.
- 4           236.
- 5           5. A condominium plat or correction instrument under ch. 703.
- 6           6. A project and time-share property plat under s. 707.215.
- 7           (f) Performing construction surveying or geodetic surveying in connection with
- 8           any of the practices specified in pars. (a) to (e).

9           **SECTION 101.** 443.01 (7m) of the statutes is created to read:

10           443.01 (7m) "Professional land surveyor" means a person who, by reason of his  
11           or her knowledge of law, mathematics, physical sciences, and measurement  
12           techniques, acquired by education and practical experience, is granted a license or

13           ~~permit~~ under this chapter to engage in the practice of professional land surveying.

14           **SECTION 102.** 443.02 (4) of the statutes is amended to read:

15           443.02 (4) No person may engage in or offer to engage in the practice of  
16           professional land surveying in this state or use or advertise any title or description  
17           tending to convey the impression that the person is a professional land surveyor  
18           unless the person has been ~~issued a certificate of registration or granted a~~ license or

19           ~~permit to practice~~ under this chapter to engage in the practice of professional land  
20           surveying.                      license

21           **SECTION 103.** 443.06 (title) of the statutes is amended to read:

22           **443.06 (title) Registration Licensure requirements for professional**  
23           **land surveyors.**

24           **SECTION 104.** 443.06 (1) (title) of the statutes is amended to read:

25           **443.06 (1) (title) REGISTRATION LICENSURE, APPLICATION, QUALIFYING EXPERIENCE.**

license

1 SECTION 105. 443.06 (1) (a) of the statutes is amended to read:

2 443.06 (1) (a) Application for ~~registration as a land surveyor~~ a license or a  
3 permit to engage in the practice of professional land surveying shall be made to the  
4 professional land surveyor section of the examining board under oath, on forms  
5 provided by the department, which shall require the applicant to submit such  
6 information as the professional land surveyor section of the ~~examining board~~ deems  
7 necessary. The professional land surveyor section may require applicants to pass  
8 written or oral examinations or both. Applicants who do not have an arrest or  
9 conviction record, subject to ss. 111.321, 111.322, and 111.335, shall be entitled to be  
10 ~~registered or issued~~ granted a license or, subject to s. 443.06 (3), a permit to engage  
11 in the practice as of professional land surveyors surveying when satisfactory  
12 evidence is submitted that the applicant has met one or more of the requirements of  
13 sub. (2).

license

14 SECTION 106. 443.06 (1) (b) of the statutes is amended to read:

15 443.06 (1) (b) Each year, but not more than 4 years, of work or training  
16 completed in a curriculum in the practice of professional land surveying approved by  
17 the professional land surveyor section, or of responsible charge of land surveying  
18 teaching the practice of professional land surveying may be considered as equivalent  
19 to one year of qualifying experience in ~~land surveying work~~ the practice of  
20 professional land surveying, and each year, but not more than 4 years, completed in  
21 a curriculum other than the practice of professional land surveying approved by the  
22 professional land surveyor section, may be considered as equivalent to one-half year  
23 of qualifying experience.

24 SECTION 107. 443.06 (2) (intro.) of the statutes is amended to read:

1           443.06 (2) ~~REQUIREMENTS; CERTIFICATE OF REGISTRATION LICENSE~~. (intro.) The  
2           professional land surveyor section may grant a ~~certificate of registration as a license~~  
3           to engage in the practice of professional land ~~surveyor~~ surveying to any person who  
4           has submitted to it an application, the required fees, and one or more of the following:

5           SECTION 108. 443.06 (2) (a) of the statutes is repealed.

6           SECTION 109. 443.06 (2) (am) of the statutes is amended to read:

7           443.06 (2) (am) Evidence satisfactory to the professional land surveyor section  
8           that he or she has received a bachelor's degree in a course in the practice of  
9           professional land surveying or a related field that has a duration of not less than 4  
10          years and is approved by the professional land surveyor section, and that he or she  
11          has engaged in the practice of professional land surveying for at least 2 years of land  
12          surveying and has demonstrated practice of satisfactory character that indicates  
13          that the applicant is competent to engage in the practice of professional land  
14          surveying, if the applicant has passed an oral and written or written examination  
15          administered by the professional land surveyor section. ~~This paragraph applies to~~  
16          ~~actions of the land surveyor section on applications for land surveyors' certificates~~  
17          ~~that are submitted to the land surveyor section after June 30, 2000.~~

\*\*\*\*NOTE: In 2011 AB 586, the final sentence in par. (am), above, reads as follows:  
"This paragraph applies to actions of the land surveyor section on applications for licenses  
to engage in the practice of professional land surveyors' certificates surveying that are  
submitted to the land surveyor section after June 30, 2000." However, with the removal  
of the date restriction, that sentence appears to become superfluous. Under sub. (2)  
(intro.), par. (am) already applies to actions taken by the professional land surveyor  
section on applications for licensure that are submitted to the section. Therefore, my  
treatment of par. (am), above, strikes the final sentence of the paragraph in its entirety.  
Is that change okay?

18          SECTION 110. 443.06 (2) (b) of the statutes is repealed.

19          SECTION 111. 443.06 (2) (bm) of the statutes is amended to read:

1           443.06 (2) (bm) Evidence satisfactory to the professional land surveyor section  
2           that he or she has received an associate degree in a course in the practice of  
3           professional land surveying or a related field that has a duration of not less than 2  
4           years and is approved by the professional land surveyor section, and that he or she  
5           has engaged in the practice of professional land surveying for at least 4 years of land  
6           surveying and has demonstrated practice of satisfactory character that indicates  
7           that the applicant is competent to engage in the practice of professional land  
8           surveying, if the applicant has passed an oral and written or written examination  
9           administered by the professional land surveyor section. ~~This paragraph applies to~~  
10          ~~actions of the land surveyor section on applications for land surveyors' certificates~~  
11          ~~that are submitted to the land surveyor section after June 30, 2000.~~

\*\*\*\*NOTE: Please see the note under par. (am), above.

12           SECTION 112. 443.06 (2) (c) of the statutes is repealed.

13           SECTION 113. 443.06 (2) (cm) of the statutes is amended to read:

14           443.06 (2) (cm) Evidence satisfactory to the professional land surveyor section  
15           that he or she has engaged in the practice of professional land surveying for at least  
16           10 years of land surveying and has demonstrated practice of satisfactory character  
17           that indicates that the applicant is competent to engage in the practice of  
18           professional land surveying, if the applicant has passed an oral and written or  
19           written examination administered by the professional land surveyor section. This  
20           paragraph applies to ~~actions of the land surveyor section on applications for licenses~~  
21           to engage in the practice of professional land surveyors' certificates surveying that  
22           are submitted to the professional land surveyor section after June 30, 2000 and  
23           before July 1, 2019.

24           SECTION 114. 443.06 (2) (d) of the statutes is amended to read:

1           443.06 (2) (d) An unexpired certificate of registration, certificate of  
2           certification, or license as a land surveyor or to engage in the practice of professional  
3           land surveying issued to the applicant by the proper authority in any state or  
4           territory or possession of the United States or in any other country whose  
5           requirements meet or exceed the requirement for ~~registration~~ licensure in this  
6           subsection, if the applicant has passed an oral and written or written examination  
7           administered by the professional land surveyor section.

8           SECTION 115. 443.06 (2) (e) of the statutes is repealed.

9           SECTION 116. 443.06 (2) (em) of the statutes is repealed.

10          SECTION 117. 443.06 (3) of the statutes is renumbered 443.06 (3) (a) (intro.) and

11          amended to read:

repealed

12           443.06 (3) (a) PERMIT TO PRACTICE. The professional land surveyor section may  
13           grant a permit to engage in the practice of professional land surveying during the  
14           time an application is pending to ~~a person~~ an applicant who is not ~~registered~~ licensed  
15           in this state, if ~~the person~~ all of the following apply:

16           1. The applicant has submitted an application for ~~registration~~ as a license to  
17           practice professional land ~~surveyor~~ surveying and paid the required fee and.

18           2. The applicant holds an unexpired certificate of registration, certificate of  
19           certification, or license which in the opinion of the professional land surveyor section  
20           meets the requirements of sub. (2).

\*\*\*\*NOTE: Should the citation in subd. 2., above, be to sub. (2) (d) instead of to sub. (2) only? It is not clear what it means for a "certificate" not issued by the professional land surveyor section to "meet the requirements of sub. (2)." Sub. (2) variously includes education, practice, and character requirements, in addition to the requirement of an exam administered by the professional land surveyor section. Instead, it appears likely that the intent of subd. 2. is that the professional land surveyor section may issue a temporary permit to a person who has applied for licensure in Wisconsin and who has a current license or other credential (a certificate) to practice as a professional land surveyor issued by another state or other recognized jurisdiction. Under sub. (2) (d), that credential must have been issued by a jurisdiction with licensure requirements that meet



or exceed the applicable requirements in Wisconsin, i.e. the requirements of sub. (2). A citation to sub. (2) (d) may help to clarify the statute's meaning. Please let me know how you would like to proceed.

(b) The permit shall be ~~revocable~~ valid only for the discrete project identified in par. (a) 3. and may be revoked by the professional land surveyor section at its pleasure.

SECTION 118. 443.06 (3) (a) 3. of the statutes is created to read:

443.06 (3) (a) 3. The applicant identifies on the application a discrete project on which he or she will be engaged in the practice of professional land surveying and demonstrates to the satisfaction of the professional land surveyor section that failure to obtain a permit under this subsection may result in delay of that project and financial loss to the person or entity for whom the applicant is or will be engaged in the practice of professional land surveying.

SECTION 119. 443.10 (title) of the statutes is amended to read:

443.10 (title) **Applications, certificates, licenses, rules, and roster.**

SECTION 120. 443.10 (2) (b) of the statutes is amended to read:

443.10 (2) (b) The fees for examinations and ~~licenses~~ credentials, as defined in s. 440.01 (2) (a), granted under this chapter are specified in s. 440.05, and the fee for renewal of such ~~licenses~~ credentials is determined by the department under s. 440.03 (9) (a).

SECTION 121. 443.10 (5) of the statutes is amended to read:

443.10 (5) FEES; RENEWALS. The professional land ~~surveyor's~~ surveyor section shall grant a ~~certificate of registration as a~~ license to engage in the practice of professional land ~~surveyor~~ surveying to any applicant who has met the applicable requirements of this chapter. The renewal date for the ~~certificate~~ license is specified

1 under s. 440.08 (2) (a), and the renewal fee for the ~~certificate~~ license is determined  
2 by the department under s. 440.03 (9) (a).

3 **SECTION 122.** 443.12 (title) of the statutes is amended to read:

4 **443.12 (title) Disciplinary proceedings against professional land**  
5 **surveyors.**

6 **SECTION 123.** 443.12 (1) of the statutes is amended to read:

7 443.12 (1) The professional land surveyor section may reprimand a  
8 professional land surveyor, or limit, suspend, or revoke the ~~certificate of registration~~  
9 license of any professional land surveyor, for the practice of any fraud or deceit in  
10 obtaining the ~~certificate~~ license, or any gross negligence, incompetence, or  
11 misconduct in the practice of professional land surveying.

12 **SECTION 124.** 443.12 (2) of the statutes is amended to read:

13 443.12 (2) Charges of fraud, deceit, gross negligence, incompetence, or  
14 misconduct may be made against any professional land surveyor by the professional  
15 land surveyor section or any person. Such charges may be made on information and  
16 belief, but shall be in writing, stating the specific acts, be signed by the complainant  
17 and be submitted to the examining board. All charges shall be heard according to  
18 the rules promulgated under s. 440.03 (1).

19 **SECTION 125.** 443.12 (3) of the statutes is amended to read:

20 443.12 (3) If after a hearing 3 members vote in favor of reprimand or limiting,  
21 suspending, or revoking the ~~certificate of registration~~ license of a professional land  
22 surveyor, the professional land surveyor section shall notify the surveyor to that  
23 effect. The surveyor shall return the ~~certificate~~ license to the examining board  
24 immediately on receipt of notice of a revocation. The action of the professional land  
25 surveyor section may be reviewed under ch. 227.

SECTION 126. 443.12 (4) of the statutes is amended to read:

443.12 (4) The professional land surveyor section, for reasons it deems sufficient, may reinstate a certificate of registration license to engage in the practice of professional land surveying that has been revoked, if 3 members vote in favor of such reinstatement. This subsection does not apply to a certificate of registration license that is revoked under s. 440.12.

SECTION 127. 443.135 of the statutes is created to read:

**443.135 Exceptions for certain kinds of surveying and preparation of**

**maps.** Nothing in this chapter may be construed to prohibit a person who has not been granted a license or permit to engage in the practice of professional land surveying under this chapter from doing any of the following:

(1) Utilizing photogrammetry or remote sensing techniques or performing topographic surveying, construction surveying, or geodetic surveying not in connection with a practice specified in s. 443.01 (6s) (a) to (e).

\*\*\*\*NOTE: Above, I have retained the language, "not in connection with a practice specified in s. 443.01 (6s) (a) to (e)." The drafting instructions request to replace that language with: "for purposes other than a boundary establishment or reestablishment specified in s. 443.01 (6s) (a) to (e)." However, boundary establishment or reestablishment is specific to s. 443.01 (6s) (a) in the draft. Do you want to limit the citation above to s. 443.01 (6s) (a)? Or, do you want to limit the definition of "practice of professional land surveying"? See also s. 443.01 (6s) (f) in the draft. Also, is "topographic surveying, construction surveying, or geodetic surveying" the correct formulation? Is there a kind of surveying not included? Note that "construction surveying" and "geodetic surveying" are both defined in the draft, but "topographic surveying" is not. Do you want to provide a definition of "topographic surveying"?

(2) Performing services related to timber management or sales if any map that is prepared as a part of those services contains the following statement: "This map is not a survey of the actual boundary of any property this map depicts."

(2) (B) Preparing a map that depicts temporary trails, easements, or other uses of lands if the map contains the following statement: "This map is not a survey of the actual boundary of any property this map depicts."

SECTION 128. 443.14 (8) (a) of the statutes is amended to read:

443.14 (8) (a) An employee of a professional land surveyor ~~registered in this state or authorized to practice under a permit~~, while ~~working~~ doing surveying work under the supervision of the employer. ~~Such exempt~~ employee ~~shall not be~~ in responsible charge of the practice of professional land surveying. <sup>is</sup> <sub>if the</sub>

SECTION 129. 443.14 (8) (b) of the statutes is repealed.

SECTION 130. 443.14 (8) (c) of the statutes is repealed.

SECTION 131. 443.14 (8) (d) of the statutes is amended to read:

443.14 (8) (d) Employees of public utilities regulated by the public service commission while engaged in the practice of professional land surveying for such utilities. This paragraph does not apply after June 30, 2019.

~~SECTION 132. 443.14 (9) of the statutes is amended to read:~~

~~443.14 (9) A license or permit shall not be required for an owner to survey his or her own land for purposes other than for sale.~~

SECTION 133. 443.14 (11) of the statutes is amended to read:

443.14 (11) Any professional land surveyor ~~registered~~ licensed under s. 443.06 who is engaged in the planning, design, installation, or regulation of land and water conservation activities under ch. 92 or s. 281.65.

~~SECTION 134. 443.18 (2) (a) of the statutes is amended to read:~~

~~443.18 (2) (a) If it appears upon complaint to the examining board or to any section of the examining board by any person, or is known to the examining board or to any section of the examining board that any person who is neither registered~~

1 nor exempt under this chapter nor the holder of an unexpired permit under s. 443.10  
2 (1) (d) is practicing or offering to practice, ~~or is about to practice or to offer to practice,~~  
3 architecture, landscape architecture, or professional engineering in this state, the  
4 appropriate section of the examining board ~~or the attorney general,~~ the department,  
5 ~~the department of justice,~~ or the district attorney of the proper county may  
6 investigate and may, in addition to any other remedies, bring action in the name and  
7 on behalf of this the state ~~against any such person~~ to enjoin the person from  
8 practicing or offering to practice architecture, landscape architecture, or  
9 professional engineering.

10 SECTION 135. 443.18 (2) (b) of the statutes is amended to read:

11 443.18 (2) (b) If it appears upon complaint to the examining board by any  
12 person, or is known to the land surveyor section of the examining board that any  
13 person who is not authorized is practicing or offering does not have a license or a  
14 permit to engage in the practice of land surveying in this state, or who is not exempt  
15 from the licensure requirements under this chapter, is engaging in or offering to  
16 engage in the practice of professional land surveying in this state, the land surveyor  
17 section examining board, the department, the department of justice, or the district  
18 attorney of the proper county may investigate and may, in addition to any other  
19 remedies, bring action in the name and on behalf of the state to enjoin the person  
20 from ~~practicing~~ engaging in or offering to engage in the practice of professional land  
21 surveying.

\*\*\*NOTE: Please note the changes to s. 443.18 (2) (a) in 2011 Act 146, adding the appropriate sections of the examining board. Do you still want to eliminate the professional land surveyor section from par. (b), above?

22 SECTION 136. 470.025 (7) of the statutes is amended to read:

^ the

1           470.025 (7) A professional land surveyor ~~registered~~ licensed under ch. 443 who  
2 is engaged in the planning, design, installation, or regulation of land and water  
3 conservation activities under ch. 92 or s. 281.65.

4           **SECTION 137.** 703.02 (6m) of the statutes is amended to read:

5           703.02 (6m) "Correction instrument" means an instrument drafted by a  
6 ~~licensed~~ professional land surveyor that complies with the requirements of s. 59.43  
7 (2m) and that, upon recording, corrects an error in a condominium plat. "Correction  
8 instrument" does not include an instrument of conveyance.

9           **SECTION 138.** 703.02 (13r) of the statutes is created to read:

10          703.02 (13r) "Professional land surveyor" means a professional land surveyor  
11 licensed under ch. 443.

12          **SECTION 139.** 703.11 (2) (intro.) of the statutes is amended to read:

13          703.11 (2) REQUIRED PARTICULARS. (intro.) A condominium plat may consist of  
14 one or more sheets, shall be produced on any material capable of clearly legible  
15 reproduction or other media that is acceptable to the register of deeds, and shall  
16 contain at least the following particulars:

17          **SECTION 140.** 703.11 (2) (b) of the statutes is amended to read:

18          703.11 (2) (b) A survey of the property described in the declaration complying  
19 with minimum standards for property surveys adopted by the examining board of  
20 architects, landscape architects, professional engineers, designers and professional  
21 land surveyors and showing the location of any unit or building located or to be  
22 located on the property.

23          **SECTION 141.** 703.11 (4) of the statutes is amended to read:

24          703.11 (4) ~~SURVEYOR'S~~ SURVEYOR'S PROFESSIONAL LAND SURVEYOR'S CERTIFICATE. A  
25 condominium plat is sufficient for the purposes of this chapter if there is attached to

1 or included in it a certificate of a ~~licensed~~ professional land surveyor ~~authorized to~~  
2 ~~practice that profession in this state~~ that the plat is a correct representation of the  
3 condominium described and the identification and location of each unit and the  
4 common elements can be determined from the plat.

5 **SECTION 142.** 703.115 (1) (b) of the statutes is amended to read:

6 703.115 (1) (b) Provides that a condominium instrument may be rejected only  
7 if it fails to comply with the applicable requirements of ss. 703.095, 703.11 (2) (a), (c)  
8 and (d) and (3), 703.275 (5) and 703.28 (1m) or if the professional land surveyor's  
9 certificate under s. 703.11 (4) is not attached to or included in the condominium plat.

10 **SECTION 143.** 703.13 (6) (e) of the statutes is amended to read:

11 703.13 (6) (e) Plats and plans showing the altered boundaries and the  
12 dimensions thereof between adjoining units, and their identifying numbers or  
13 letters, shall be prepared. The plats and plans shall be certified as to their accuracy  
14 in compliance with this subsection by a civil engineer, architect, or licensed  
15 professional land surveyor ~~authorized to practice his or her profession in the state.~~

16 **SECTION 144.** 703.13 (7) (c) of the statutes is amended to read:

17 703.13 (7) (c) Plats and plans showing the boundaries and dimensions  
18 separating the new units together with their other boundaries and their new  
19 identifying numbers or letters shall be prepared. The plats and plans shall be  
20 certified as to their accuracy and compliance with this subsection by a civil engineer,  
21 architect, or licensed professional land surveyor ~~authorized to practice his or her~~  
22 ~~profession in the state.~~

23 **SECTION 145.** 703.13 (8) (c) of the statutes is amended to read:

24 703.13 (8) (c) Plats and plans showing the boundaries and dimensions of the  
25 new unit together with the new identifying number or letter shall be prepared. The

1 plats and plans shall be certified as to their accuracy and compliance with this  
2 subsection by a civil engineer, architect, or licensed professional land surveyor  
3 ~~authorized to practice in this state.~~

4 SECTION 146. 707.215 (2) (intro.) of the statutes is amended to read:

5 707.215 (2) REQUIRED CONTENTS. (intro.) A plat filed for recording under sub.

6 (1) may consist of one or more sheets, shall be produced on any material capable of

7 clearly legible reproduction or other media that is acceptable to the register of deeds,

8 and shall contain at least all of the following:

9 SECTION 147. 707.215 (3) of the statutes is amended to read:

10 707.215 (3) FORM OF MAPS AND PLANS. All survey maps and floor plans submitted  
11 for recording shall be legibly prepared with a binding margin of ~~1.5 inches on the left~~

12 ~~side and a one inch margin~~ on all ~~other~~ sides on durable white media that is 14

13 inches in length and 22 inches in width, or on any material capable of clearly legible

14 reproduction or other media that is acceptable to the register of deeds, with a

15 permanent nonfading black image. The maps and plans shall be drawn to a  
16 convenient scale.

17 SECTION 148. 707.215 (5) (intro.) of the statutes is amended to read:

18 707.215 (5) ~~SURVEYOR'S~~ PROFESSIONAL LAND SURVEYOR'S CERTIFICATE. (intro.) A  
19 plat is sufficient for the purposes of this chapter if attached to or included in the plat  
20 is a certificate of a professional land surveyor licensed ~~to practice in this state under~~  
21 ch. 443, and the certificate provides all of the following:

22 SECTION 149. 709.02 (1) of the statutes is amended to read:

23 709.02 (1) In regard to transfers described in s. 709.01, the owner of the  
24 property shall furnish, not later than 10 days after acceptance of a contract of sale  
25 or option contract, to the prospective buyer of the property a completed copy of the



1 report under s. 709.03 or 709.033, whichever is applicable, subject to s. 709.035,  
2 except that the owner may substitute for any entry information supplied by a  
3 licensed engineer, professional land surveyor, as defined in s. 443.01 (7m), or  
4 structural pest control operator, by an individual who is a qualified 3rd party, or by  
5 a contractor about matters within the scope of the contractor's occupation, if the  
6 information is in writing and is furnished on time and if the entry to which it relates  
7 is identified, and except that the owner may substitute for any entry information  
8 supplied by a public agency. Information that substitutes for an entry on the report  
9 under s. 709.03 or 709.033 and that is supplied by a person specified in this section  
10 may be submitted and certified on a supplemental report prepared by the person, as  
11 long as the information otherwise satisfies the requirements under this section. A  
12 prospective buyer who does not receive a report within the 10 days may, within 2  
13 business days after the end of that 10-day period, rescind the contract of sale or  
14 option contract by delivering a written notice of rescission to the owner or to the owner's  
15 agent.

16 **SECTION 150.** 709.07 of the statutes is amended to read:

17 **709.07 Liability precluded.** An owner is not liable for an error or omission  
18 in a report under s. 709.03 or 709.033 if the owner had no knowledge of that error  
19 or omission, if the error or omission was based on information provided by a public  
20 agency, by a licensed engineer, professional land surveyor, as defined in s. 443.01  
21 (7m), structural pest control operator, or qualified 3rd party, or by a contractor about  
22 matters within the scope of the contractor's occupation.

23 **SECTION 151.** 710.09 of the statutes is created to read:

24 **710.09 Navigable stream does not divide parcel.** Unless otherwise  
25 provided by local ordinance, a navigable stream running through a parcel of land

1 does not, in and of itself, divide the parcel into 2 parcels if the parcel, on both sides  
2 of the stream, is owned by the same owner.

3 **SECTION 152.** 710.095 of the statutes is created to read:

4 ~~**710.095 Notice of land survey.** If a professional land surveyor, as defined in  
5 s. 443.01 (7m), is hired to conduct a survey that the surveyor knows is being  
6 conducted in connection with the transfer or anticipated transfer of the ownership  
7 of the property subject to the survey, the surveyor shall give written notice of the  
8 survey to each property owner who owns property abutting one or more of the  
9 existing property lines subject to the survey no later than 10 days before the survey  
10 is conducted.~~

\*\*\*\*NOTE: Is the ten-day prior notice requirement consistent with your intent?

11 **SECTION 153.** 893.37 of the statutes is amended to read:

12 **893.37 Survey.** No action may be brought against an engineer or any  
13 professional land surveyor, as defined in s. 443.01 (7m), to recover damages for  
14 negligence, errors, or omission in the making of any survey nor for contribution or  
15 indemnity related to such negligence, errors, or omissions more than 6 years after  
16 the completion of a survey.

17 **SECTION 154.** 2009 Wisconsin Act 376, section 13 (1) is amended to read:

18 [2009 Wisconsin Act 376] Section 13 (1) The treatment of section 236.13 (1) (b)  
19 and (2) (a) of the statutes first applies to preliminary plats or, in cases in which no  
20 preliminary plats are submitted, final plats that are submitted for approval on the  
21 effective date of this subsection.

22 **SECTION 155. Nonstatutory provisions.**

23 (1) Notwithstanding section 443.02 (4) of the statutes, as affected by this act,  
24 on the effective date of this subsection, a person who has been granted a certificate

1 of registration as a land surveyor under section 443.06 (2), 2011 stats., or a permit  
2 to practice land surveying under section 443.06 (3), 2011 stats., is considered to be  
3 granted a license to engage in the practice of professional land surveying under  
4 section 443.06 (2) of the statutes, as affected by this act, or a permit to engage in the  
5 practice of professional land surveying under section 443.06 (3) of the statutes, as  
6 affected by this act, and the professional land surveyor section of the examining  
7 board of architects, landscape architects, professional engineers, designers, and  
8 professional land surveyors shall issue to the person, as appropriate, a license to  
9 engage in the practice of professional land surveying under section 443.06 (2) of the  
10 statutes, as affected by this act, or a permit to engage in the practice of professional  
11 land surveying under section 443.06 (3) of the statutes, as affected by this act.

#### 12 SECTION 156. Initial applicability.

##### 13 (1) PROFESSIONAL LAND SURVEYORS.

14 (a) The treatment of section 26.09 (3) (b) 1. of the statutes first applies to  
15 surveys recorded on the effective date of this paragraph.

16 (b) The treatment of section 70.27 (5), (6), and (7) (intro.) and (d) of the statutes  
17 first applies to assessor's plats made on the effective date of this paragraph.

18 (c) The treatment of section 157.07 (1) of the statutes first applies to lands  
19 surveyed and platted on the effective date of this paragraph.

20 (d) The treatment of section 157.07 (2) and (3) of the statutes first applies to  
21 cemetery plats and maps created on the effective date of this paragraph.

22 (e) The treatment of section 236.21 (1) (intro.), (a), and (d) of the statutes first  
23 applies to plats certified by a professional land surveyor, as defined in section 236.02  
24 (9b) of the statutes, as created by this act, on the effective date of this paragraph.

1           (f) The treatment of section 236.02 (2m) of the statutes first applies to  
2 correction instruments that are drafted on the effective date of this paragraph.

3           (g) The treatment of sections 236.15 (2) and 236.34 (1) (a) of the statutes first  
4 applies to surveys that are performed on the effective date of this paragraph.

5           (h) The renumbering and amendment of section 236.32 of the statutes and the  
6 creation of section 236.32 (2m) of the statutes first apply to the placement, removal,  
7 or disturbance of monuments, or the failure to replace monuments, on the effective  
8 date of this paragraph.

9           (i) The treatment of section 236.34 (1) (d) (intro.), 1., and 4. of the statutes first  
10 applies to certified survey maps offered for record on the effective date of this  
11 paragraph.

12           (j) The treatment of section 703.02 (6m) of the statutes first applies to correction  
13 instruments drafted on the effective date of this paragraph.

14           (k) The treatment of section 703.11 (4) of the statutes first applies to  
15 condominium plats certified on the effective date of this paragraph.

16           (L) The treatment of section 703.13 (6) (e), (7) (c), and (8) (c) of the statutes first  
17 applies to condominium plats and plans certified on the effective date of this  
18 paragraph.

19           (l) The treatment of section 707.215 (5) (intro.) of the statutes first applies to  
20 certifications made on the effective date of this paragraph.

21           (m) The treatment of sections 709.02 (1) and 709.07 of the statutes first applies  
22 to original reports furnished on the effective date of this paragraph.

23           (n) The treatment of section 893.37 of the statutes first applies to acts or  
24 omissions occurring on the effective date of this paragraph.

25           (2) PLATS AND CERTIFIED SURVEY MAPS.

1 (a) The treatment of sections 236.12 (2) (intro.), (a), (ac), and (b), (3), (4), (5), (6),  
2 and (8), 236.13 (2m), and 236.20 (1) (b) of the statutes, the renumbering and  
3 amendment of section 236.11 (2) of the statutes, and the creation of section 236.11  
4 (2) (b) of the statutes first apply to preliminary plats or, in cases in which no  
5 preliminary plats are submitted, to final plats, that are submitted for approval on  
6 the effective date of this paragraph.

7 (b) The treatment of sections 236.025, 236.15 (1) (intro.), (a), and (d), and 236.34  
8 (1) (b) of the statutes first applies to surveys performed on the effective date of this  
9 paragraph.

10 (c) The treatment of section 236.20 (1) (a), (2) (g) and (k), (3) (b), (4) (b), (5) (c),  
11 and (6) of the statutes first applies to final plats, and to certified survey maps if  
12 applicable, that are submitted for approval on the effective date of this paragraph.

13 (d) The treatment of sections 236.21 (1) (b) and 236.25 (2) (c) and (d) of the  
14 statutes first applies to final plats that are offered for record on the effective date of  
15 this paragraph.

16 (e) The treatment of section 236.34 (1) (d) 2. and (2) (b) 1. of the statutes first  
17 applies to certified survey maps that are offered for record on the effective date of this  
18 paragraph.

19 (f) The treatment of section 236.34 (1) (e) of the statutes first applies to certified  
20 survey maps that are submitted for approval on the effective date of this paragraph.

21 (3) RECORDING MEDIA.

22 (a) The treatment of section 70.27 (2) of the statutes first applies to assessor's  
23 plats that are offered for record on the effective date of this paragraph.

24 (b) The treatment of section 236.25 (2) (a) of the statutes first applies to final  
25 plats that are offered for record on the effective date of this paragraph.

1 (c) The treatment of section 236.34 (1) (c) of the statutes first applies to certified  
2 survey maps that are offered for record on the effective date of this paragraph.

3 (d) The treatment of section 703.11 (2) (intro.) of the statutes first applies to  
4 condominium plats that are offered for record on the effective date of this paragraph.

5 (e) The treatment of section 707.215 (2) (intro.) and (3) of the statutes first  
6 applies to time-share property plats or time-share property survey maps and floor  
7 plans, as applicable, that are offered for record on the effective date of this  
8 paragraph.

9 **SECTION 157. Effective date.**

10 (1) This act takes effect on the first day of the 4th month beginning after  
11 publication.

12 (END)

D-N

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB

13-2048/1dn

MPG:sac:jm

-date-

Representative Weatherston:

Please review this draft carefully to ensure that it is consistent with your intent.

As requested, this redraft eliminates the option for a surveyor to obtain a temporary permit pending full licensure. It is my understanding that the land surveyor section does not currently issue such permits and that no person currently holds such a permit. As a result, this draft does not contain any transitional or grandfathering provisions to account for any person holding a permit on the proposal's effective date. Please let me know if, instead, you wish to include such provisions in the draft.

Please do not hesitate to contact me with any questions.

Thank you.

Michael Gallagher  
Legislative Attorney  
Phone: (608) 267-7511  
E-mail: michael.gallagher@legis.wisconsin.gov

**2013-2014 DRAFTING INSERT**  
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PJK:.....

**INSERT A-PJK**

1. Under current law, a subdivision plat may not be recorded unless it is approved by, depending on the location of the subdivision that is the subject of the plat, the governing body of a town, city, or village and, in some circumstances, a county planning agency (approving authorities). The plat must also be reviewed (to determine whether there is an objection) by a county planning agency, county park commission, or county park manager for any conflict with parks, parkways, or other planned public developments; the Department of Administration (DOA); if the subdivision abuts or adjoins a state highway, the Department of Transportation (DOT); and, if the subdivision is not served by a public sewer and provision for that service has not been made, the Department of Safety and Professional Services (DSPS) (objecting agencies). Current law specifies the number of copies of the plat that must be submitted, to whom they must be submitted, and the time limits within which the approving authorities and objecting agencies must act and provides two different procedures that may be used by a subdivider. The bill simplifies the approval process by limiting it to a single procedure, which is, for the most part, one of the two procedures under current law.

Under the bill, the subdivider or subdivider's agent must submit an electronic copy of the preliminary or final plat, or a copy that is capable of legible reproduction, to the approving authority or authorities and to DOA. DOA must examine the plat for compliance with certain statutory requirements and, within two days, transmit an electronic copy or two legible hard copies of the plat to DOT or DSPS or both, based on the criteria under current law. Also within two days after receiving the copy of the plat, DOA must transmit copies of the plat to the county planning agency, county park commission, or county park manager for making the determinations required under current law. Each objecting agency has 20 days after receiving a copy of the plat to notify the subdivider and all other objecting agencies of any objection to the plat, or to certify on the face of a copy of the plat that it has no objection and to return that copy to DOA. DOA then must certify on the face of the plat that each objecting agency has certified that it has no objection or that its objection has been satisfied. If an objecting agency other than DOA fails to act within 20 days after receiving a copy of the plat, or if DOA fails to act within 30 days after receiving a copy of the plat, it is deemed that there are no objections to the plat and, upon demand, DOA must so certify on the face of the plat.

As under current law, the approving authority or authorities have 60 days after receiving the plat to approve or reject it, but no approving authority may inscribe its final approval on the plat before DOA has certified that there are no objections to the plat.

**(END OF INSERT A-PJK)**



**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2048/lins  
MPG:sac:jm

1           INSERT 38-21

✓

2           **SECTION 1.** 293.37 (2) (a) of the statutes is amended to read:

3           293.37 (2) (a) A mining plan, including a description and a detailed map of the  
4           proposed mining site drawn to a scale approved by the department. Aerial  
5           photographs may be accepted if the photographs show the details to the satisfaction  
6           of the department. The map, plan, or photograph shall be prepared and certified by  
7           a competent engineer, licensed professional surveyor, or other person approved by  
8           the department, and shall show the boundaries of the area of land which will be  
9           affected; the drainage area above and below the area; the location and names of all  
10          streams, roads, railroads, pipelines, and utility lines on or within 1,000 feet of the  
11          site; the name of the owner or owners of the site; the name of the city, village, or town  
12          in which the site is located; and the name of any other city, village, or town if within  
13          3 miles of the site. The map or photograph shall be accompanied by descriptive data  
14          as required by the department, including but not limited to the soil conservation  
15          service soil capabilities classifications of the affected area, the anticipated geometry  
16          of the excavation, the estimated total production of tailings produced, the nature and  
17          depth of the overburden, the elevation of the water table, and such other information  
18          about the geology of the deposit as the department, after consultation with the  
19          geological and natural history survey, finds is necessary to evaluate the applicant's  
20          mining plan and reclamation plan.

History: 1995 a. 227 s. 770, 772, 774, 775, 776, 994; 1997 a. 169; 2013 a. 1.

21          **SECTION 2.** 295.48 (1) (intro.) of the statutes, as created by 2013 Wisconsin Act

22          1, is amended to read:

1       295.48 (1) GENERAL. (intro.) An applicant for a mining permit shall submit  
2       as part of the application a mining plan that includes a description of the proposed  
3       mining site and either a detailed map drawn to a scale approved by the department  
4       or aerial photographs, if the photographs show the details to the satisfaction of the  
5       department, prepared and certified by a competent engineer, licensed professional  
6       surveyor, or other person approved by the department that show all of the following:

7       History: 2013 a. l.

7       END INSERT 38-21

8       INSERT 48-6

9       SECTION 3. 443.134 of the statutes is created to read:

10       **443.134 Exception for photogrammetry.** Nothing in this chapter may be  
11       construed to prohibit a person who has not been granted a license to engage in the  
12       practice of professional land surveying under this chapter from utilizing  
13       photogrammetry or remote sensing techniques or performing topographic  
14       surveying, construction surveying, or geodetic surveying for purposes other than a  
15       boundary establishment or reestablishment specified in s. 443.01 (6s).

16       END INSERT 48-6

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2048/1dn  
MPG:sac:rs

July 23, 2013

Representative Weatherston:

Please review this draft carefully to ensure that it is consistent with your intent.

As requested, this redraft eliminates the option for a surveyor to obtain a temporary permit pending full licensure. It is my understanding that the land surveyor section does not currently issue such permits and that no person currently holds such a permit. As a result, this draft does not contain any transitional or grandfathering provisions to account for any person holding a permit on the proposal's effective date. Please let me know if, instead, you wish to include such provisions in the draft.

Please do not hesitate to contact me with any questions.

Thank you.

Michael Gallagher  
Legislative Attorney  
Phone: (608) 267-7511  
E-mail: michael.gallagher@legis.wisconsin.gov

**Barman, Mike**

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**From:** Leiber, John  
**Sent:** Thursday, October 17, 2013 3:58 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -2048/1 Topic: Changes to licensure of professional land surveyors

Please Jacket LRB -2048/1 for the ASSEMBLY.